

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. CR05-281-JLR
Plaintiff,)
v.)
ROBERT SHANE LUCAS,) SUMMARY REPORT OF U.S.
Defendant.) MAGISTRATE JUDGE AS TO
) ALLEGED VIOLATIONS
) OF SUPERVISED RELEASE

An initial hearing on supervised release revocation in this case was scheduled before me on August 14, 2007. The United States was represented by AUSA Susan M. Roe and the defendant by Stewart P. Riley. The proceedings were digitally recorded.

Defendant had been sentenced on or about January 9, 2006 by the Honorable James L. Robart on a charge of Possession of a Controlled Substance (cocaine), and sentenced to time served (about 170 days), 1 year supervised release. (Dkt. 420).

The conditions of supervised release included the standard conditions plus the requirements that defendant participate in drug testing, abstain from the use of alcohol, participate in a drug treatment program, submit to search, reside in a halfway house for up to 90 days, provide access

**SUMMARY REPORT OF U.S. MAGISTRATE JUDGE AS
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01 to financial information, not be self-employed or employed by friends or relatives, obtain approval
02 for all employment, not work for cash, provide copies of pay stubs to his probation officer, and
03 not possess identification documents in any but his true name.

04 On January 19, 2006, defendant's probation officer reported that defendant tested positive
05 for cocaine. He was reprimanded, placed in a structured testing program, and referred for
06 professional assessment and counseling. (Dkt. 426).

07 On July 31, 2006, defendant admitted to violating supervised release by failing to report
08 to the community corrections center as directed, committing new law violations of residential
09 burglary, attempted car theft and stolen property, failing to notify his probation officer within
10 seventy-two hours of being arrested, and using methamphetamine. (Dkt. 477.) Defendant was
11 sentenced to four months in custody, with credit for time served, followed by eight months
12 supervised release. (Dkt. 487.)

13 Defendant's supervised release was modified on March 9, 2007 to require residence in a
14 halfway house for up to 90 days. (Dkt. 489.)

15 In an application dated July 19, 2007 (Dkt. 493), U.S. Probation Officer Brian K. Facklam
16 alleged the following violation of the conditions of supervised release:

17 1. Using cocaine on or about June 23, 2007 in violation of standard condition number
18 7.

19 Defendant was advised in full as to those charges and as to his constitutional rights.

20 Defendant admitted the alleged violations and waived any evidentiary hearing as to
21 whether they occurred.

22 I therefore recommend the Court find defendant violated his supervised release as alleged,

01 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be
02 set before Judge Robart.

03 Pending a final determination by the Court, defendant has been released on the conditions
04 of supervision..

05 DATED this 14th day of August, 2007.

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Mary Alice Theiler
United States Magistrate Judge

cc: District Judge: Honorable James L. Robart
AUSA: Susan M. Roe
Defendant's attorney: Stewart P. Riley
Probation officer: Brian K. Facklam